

ORDINANCE NO. 16-16

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA APPROVING AN AMENDMENT TO THE ADMIRALS COVE PLANNED UNIT DEVELOPMENT AUTHORIZING AN INCREASE OF THE MAXIMUM LENGTH OF A TERMINAL PLATFORM DOCK WHERE A SINGLE-FAMILY HOME EXISTS ON TWO PLATTED LOTS; PROVIDING FOR DOCK STANDARDS WITHIN THE PUD; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Peter T. Moore, GM/COO/CFO of the Admiral's Cove Master Property Owner's Association, Inc., is the authorized agent (Applicant) of the owners of properties within the 727.8± acre Admiral's Cove Planned Unit Development (the PUD); and

WHEREAS, the Applicant has been authorized to submit an application to amend the Admirals Cove PUD; and

WHEREAS, the legal description of the Admiral's Cove PUD is contained in Exhibit "A", which is attached hereto and incorporated herein (the Subject Property); and

WHEREAS, the Subject Property is generally located northeast of the intersection of Alternate A1A and Frederick Small Road; and

WHEREAS, the Development Agreement for The Admiral's Cove PUD was approved on July 1, 1986 with an exception permitting the projection of docks into waterways and canals without limitation; except that they may not encroach the 60 foot wide navigational channel.

WHEREAS, An Exception to Development Standards was approved on May 5, 1987 permitting "T" and "L" dock projections on internal waterways of 36 feet at single-family lots and 45 feet at multi-unit lots.

WHEREAS, Staff has incorporated the previously approved dock requirements into the subject ordinance.

WHEREAS, the Town's Planning and Zoning Commission has considered the Application and has made its recommendations to the Town Council; and,

WHEREAS, the Town Council has conducted a public hearing wherein it considered the evidence and testimony presented by the Town staff, the Applicant, and other interested parties and members of the public, regarding whether the Application is consistent with the Town's Comprehensive Plan and meets the Town's Land Development Regulations; and,

WHEREAS, the Town Council has determined that certain conditions, as set forth herein, are necessary to render the Application consistent with the Town's Comprehensive Plan and to meet the Land Development Regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA, THAT:

Section 1. The whereas clauses are hereby incorporated as true and correct as the findings of fact and conclusions of law of the Town Council.

Section 2. The Town Council hereby approves an amendment to the Admirals Cove PUD as set forth below:

Private docks in the Admirals Cove (East) PUD shall be subject to the following:

- 1) Docks, moorings, and mooring pilings shall be permitted to project into waterways and canals without limitation as to the extent of such projection, subject to the requirement that such docks, moorings, and mooring pilings shall not encroach into the 60 foot wide navigational channel.
- 2) On the internal waterways within the development, the maximum lateral length of "T" and "L" dock projections shall be:
 - a) 36 feet – Single-family lots.
 - b) 45 feet - Multi-unit lots
- 3) Two or more lots on internal waterways which are joined by a recorded Unity of Title may have up to a 72 foot long terminal platform. A property owner who proposes a dock modification or new dock on a combined lot shall submit a certified copy of the recorded unity of title for the platted lots with the application for a dock, boat mooring space, or mooring pilings.
- 4) The side setback for a dock with a terminal platform that exceeds 36 feet shall be 20 feet.
- 5) Only one dock access walkway shall be permitted. On double lots, two dock access walkways may be permitted if no net loss to

environmental resources can be demonstrated by the property owner.

- 6) The dock access walkway shall not exceed six feet in width.
- 7) The fixed terminal platform shall not exceed eight feet in width.
- 8) The floating terminal platform shall not exceed 10 feet in width.
- 9) Prior to the application of a building permit, the owner of a lot who has submitted an application for a new or expanded dock shall schedule a pre-application conference with the Town's Natural Resources staff to ensure that the new or expanded dock, boat mooring space, and/or mooring pilings are configured so as to minimize impacts on existing mangroves, seagrass, and other natural resources.

Section 3. This Ordinance shall take effect immediately upon its adoption.

Exhibit "A" - Legal Description

LEGAL DESCRIPTION OF
THE PROPERTY

A parcel of land, lying in Sections 7, 17 & 18, Township 41 South, Range 43 East, Palm Beach County, Florida, and being more particularly described as follows:

Commencing at the Southeast Corner of said Section 18; Thence, North 01°04'10" East, along the East Line of said Section 18, a distance of 67.47 feet for a point of beginning (P.O.B.), said point being on the Northerly curved right-of-way line of Frederick Small Road, as recorded in Official Records Book 4594, Page 1148 Public Records, Palm Beach County, Florida; said curve having a radius of 2231.83 feet and whose radius point bears North 93°40'18" West;

Thence, Westerly, along said curve, and along said Northerly right-of-way line of said Frederick Small Road, through a central angle of 04°41'21", a distance of 182.66 feet to the point of tangency; Thence, North 88°58'37" West, continuing along said Northerly right-of-way line of Frederick Small Road, and along a line 60.00 feet North of, as measured at right angles to, the South line of the Southeast One-Quarter of said Section 18, a distance of 2481.74 feet to the intersection thereof with the West Line of the Southeast One-Quarter of said Section 18; Thence, North 89°01'50" West, continuing along said Northerly right-of-way line of Frederick Small Road, and continuing along a line 60.00 feet North of, as measured at right angles to the South line of the Southwest One-Quarter of said Section 18, a distance of 2546.72 feet to the intersection thereof with the Easterly right-of-way line of Alternate A-1-A (S.R. 811), as recorded in Official Records Book 4421, Page 1591, Public Records, Palm Beach County, Florida; Thence, North 01°19'29" East, along said East right-of-way line of Alternate A-1-A, a distance of 3283.22 feet to the intersection thereof with the North Line of said Section 18; Thence, North 01°19'29" East, continuing along said East right-of-way line of Alternate A-1-A, a distance of 759.39 feet to the intersection thereof with the South Line of the South 510.00 feet of the North 570.00 feet of the West 360.00 feet of the Southwest One-Quarter of the Southwest One-Quarter of said Section 7; Thence, South 88°45'01" East, along the South Line of the South 510.00 feet of the North 570.00 feet of the West 360.00 feet of the Southwest One-Quarter of the Southwest One-Quarter of said Section 7, a distance of 445.08 feet to the intersection thereof with the East Line of the West 360.00 feet of the Southwest One-Quarter of the Southwest One-Quarter of said Section 7; Thence, North 01°21'11" East, along the East Line of the West 360.00 feet of the Southwest One-Quarter of the Southwest One-Quarter of said Section 7, a distance of 510.00 feet to the intersection thereof with the North Line of the South 510.00 feet of the North 570.00 feet of the West 360.00 feet of the Southwest One-Quarter of the Southwest One-Quarter of said Section 7; Thence, North 88°45'01" West, along the North Line of the South 510.00 feet of the North 570.00 feet of the West 360.00 feet of the Southwest One-Quarter of the Southwest One-Quarter of said Section 7, a distance of 445.33 feet to the intersection thereof with said Easterly right-of-way of Alternate A-1-A; Thence, North 01°19'29" East, along said Easterly right-of-way of Alternate A-1-A, a distance of 60.00 feet to the intersection thereof with the North Line of the Southwest One-Quarter of the Southwest One-Quarter of said Section 7; Thence, South 88°45'01" East, along the North Line of the South One-Half of the Southwest One-Quarter of said Section 7, a distance of 2539.30 feet to the Northwest Corner of Government Lot 3 of said Section 7; Thence, continue South 88°45'01" East, along the North Line of said Government Lot 3, a distance of 1647.29 feet, more or less, to the East Line of said Government Lot 3; said East Line being the U.S. Government Meander Line of 1855 as adjusted in 1924; Thence, South 21°30'23" East, along said East Line of Government Lot 3, a distance of 450.32 feet, more or less; Thence, South 07°30'23" East, continuing along said East Line of Government Lot 3, a distance of 457.94 feet, more or less, to a point on the Westerly right-of-way line of the Intracoastal Waterway, according to the Plat thereof, as recorded in Plat Book 17, Pages 1 through 25, Inclusive, Public Records, Palm Beach County, Florida; Thence, South 02°19'34" West, along said Westerly right-of-way line of the Intracoastal Waterway, a distance of 1536.43 feet; Thence, South 25°16'08" East, continuing along said Westerly right-of-way line, a distance of 1554.09 feet; Thence, South 34°28'48" East, continuing along said Westerly right-of-way line, a distance of 158.11 feet, more or less, to the intersection thereof with the East Line of said Section 18; Thence, South 00°17'06" East, along said East Line of Section 18, a distance of 57.25 feet, more or less, to the Northwest Corner of the Southwest One-Quarter of said Section 17; Thence, South 88°32'11" East, along the North Line of said Southwest One-Quarter of Section 17, a distance of 397.4 feet, more or less, to the intersection thereof with said Westerly right-of-way line of the Intracoastal Waterway; Thence, South 34°28'48" East, along said Westerly right-of-way line, a distance of 659.73 feet, more or less, to the intersection thereof with the North Line of a parcel of land described in Deed Book 1074, Page 276, Public Records, Palm Beach County, Florida; Thence, South 85°51'29" West, along the North Line of said parcel of land, a distance of 423.36 feet, more or less, to a point in the curved Easterly right-of-way line of Putnam Road, as recorded in Deed Book 1036, Pages 97 and 98, Public Records, Palm Beach County, Florida; said curve having a radius of 1950.08 feet and whose radius point bears South 60°09'58" West; Thence, Northwesterly, along said curve, through a central angle of 00°04'10", a distance of 2.36 feet, more or less, to a point of compound curvature of a curve, concave Southeasterly, having a radius of 60.00 feet and whose radius point bears South 60°03'18" West; Thence, Northwesterly, Southwesterly and Southeasterly, along said curve, through a central angle of 236°36'05", a distance of 248.12 feet to a point of reverse curvature of a curve, concave Southwesterly, having a radius of 25.00 feet; Thence, Southeasterly, along said curve, through a central angle of 59°08'50", a distance of 25.81 feet to a point of compound curvature of a curve, concave Southwesterly, having a radius of 1870.08 feet; Thence, Southeasterly, along said curve, through a central angle of 02°09'01", a distance of 70.19 feet to the intersection thereof with the West Line of said Section 17; Thence, continuing along said curve, through a central angle of 16°40'07", a distance of 544.05 feet, more or less, to the end of said curve; Thence, North 88°12'03" West, continuing along the aforesaid curve, a distance of 170.10 feet to the intersection thereof with said East Line of Section 18; Thence, South 01°04'10" West, along said East Line of Section 18, a distance of 1340.68 feet to the point of beginning (P.O.B.)

Containing 722.8 Acres, More or Less.

ALSO BEING DESCRIBED AS all that certain land as shown on that certain Record Plat of Admiral's Cove as recorded in Plat Book 54, Page 141, of the Public Records of Palm Beach County, Florida.

Subject to easements, reservations, restrictions and rights of way of the Public Records of Palm Beach County, Florida.

EXHIBIT NO. "1"

Page 1 of 1

RECORDER'S MEMO: Legibility
of Writing, Typing or Printing
unsatisfactory in this document
when received.

B5052 P1100

Upon First Reading this 7th day of June, 2016, the foregoing Ordinance was offered by Councilor Wayne Posner, who moved its adoption. The motion was seconded by Councilor Ron Delaney, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR TODD R. WODRASKA	X	
VICE-MAYOR JIM KURETSKI	X	
COUNCILOR RON DELANEY	X	
COUNCILOR ILAN KAUFER	X	
COUNCILOR WAYNE POSNER	X	

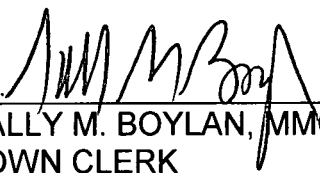
Upon Second Reading this 21st day of June, 2016, the foregoing Ordinance was offered by Vice-Mayor Ilan Kaufer, who moved its adoption. The motion was seconded by Wayne Posner, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR TODD R. WODRASKA	X	
VICE-MAYOR ILAN KAUFER	X	
COUNCILOR RON DELANEY	X	
COUNCILOR JIM KURETSKI	X	
COUNCILOR WAYNE POSNER	X	

The Mayor thereupon declared Ordinance 16-16 duly passed and adopted this 21st day of June, 2016.

TOWN OF JUPITER, FLORIDA

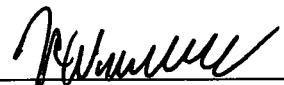
ATTEST:



SALLY M. BOYLAN, MMC
TOWN CLERK

(TOWN SEAL)



BY:


TODD R. WODRASKA
MAYOR


THOMAS J. BAIRD, ESQ.
Approved as to form and
legal sufficiency